

**SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES
BOARD POLICY**

POLICY #: 302.01

Page 1 of 5

SUBJECT: Vehicular Pursuit

Revised July 1, 2004

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I. PURPOSE

The purpose of this policy is to provide guidelines to be followed during vehicular pursuit.

II. STATEMENT

It is the policy of this Department to minimize the risk of harm or danger to all individuals when enforcing the law. In an effort to protect lives the Department will regulate the manner in which vehicular pursuit is undertaken and performed.

III. DEFINITIONS

- A. *Vehicular Pursuit:* An attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is attempting to avoid apprehension by the use of a vehicle.
- B. *Out of Jurisdiction Support:* An attempt by an officer in an authorized emergency vehicle to maintain surveillance of a fleeing suspect until an officer of competent jurisdiction may intervene.

IV. PROCEDURES

- A. Initiation of Pursuit
 1. Any enforcement officer in an authorized emergency vehicle may initiate a pursuit when the officer, after weighing the nature and gravity of the offense or situation, determines in his/her judgment that the need for apprehension of the suspect is greater than the danger of the pursuit to the public.
 2. Any law enforcement officer in an authorized emergency vehicle and having met the conditions of the preceding paragraph may initiate a vehicular pursuit when both of the following criteria are met:

- a. The person operating the vehicle is suspected of committing a felony or misdemeanor, and
- b. The suspect, if allowed to flee, could present a danger to human life or cause serious harm to property or natural resources.
3. The pursuing officer shall consider the following factors in determining whether to initiate pursuit:
 - a. The performance capabilities of the emergency vehicle;
 - b. The condition of the road surface upon which the pursuit is being conducted;
 - c. The amount of vehicular and pedestrian traffic in the area; and
 - d. Weather conditions.
4. Vehicular pursuits are not allowed in the following instances:
 - a. While emergency vehicle is towing a trailer; and
 - b. While non-sworn personnel are being transported in the emergency vehicle.

B. Pursuit Officer Responsibilities

1. The pursuing officer shall immediately notify communications center personnel that a pursuit is underway. The officer shall provide communications personnel with the following information:
 - a. Unit identification;
 - b. Location, approximate speed, and direction of travel of the fleeing vehicle;
 - c. Description and license plate number, if known, of the fleeing vehicle;
 - d. Number of occupants in the fleeing vehicle, and descriptions, where possible;
 - e. Reasons supporting the decision to pursue; and
 - f. Officer shall continue to provide continual update to communications as to location and conditions pertaining to the pursuit.
2. Failure to provide this information to the communications center may result in a decision by a supervisor or administrative staff to terminate pursuit.
3. The primary pursuit unit shall reduce the level of pursuit to that of support or backup unit where:
 - a. The fleeing vehicle comes under the surveillance of an air unit; or
 - b. Another vehicle has been assigned primary pursuit responsibility.

4. Any primary or backup unit sustaining damage that could adversely effect the performance of the vehicle, or the failure of essential vehicular equipment during pursuit shall not be permitted to continue in the pursuit. The unit shall notify communications so that another unit may be assigned to the pursuit, if available.
5. The officer initiating the pursuit will generally be considered the primary unit unless conditions warrant a change pursuant to this policy.
6. The primary unit officer will fulfill the responsibilities of the supervisor in the event that a supervisor is not available during a pursuit.

C. Communications Center Responsibilities

1. Upon notification that a pursuit is in progress, communications personnel shall immediately advise a supervisor and staff-duty officer of the essential information regarding the pursuit.
2. Communications personnel shall carry out the following activities and responsibilities during the pursuit:
 - a. Receive and record all incoming information on the pursuit and the pursued vehicle;
 - b. Control all radio communications and clear the radio channels of all non-emergency calls;
 - c. Obtain criminal record(s) and vehicle check of the suspects;
 - d. Coordinate and dispatch backup assistance. Contact aviation section for air support when feasible; and
 - e. Notify the Department of Public Safety (South Carolina Highway Patrol) and local jurisdictions to advise them of the situation.

D. Supervisor's Responsibilities During Vehicular Pursuit

1. Upon notification that a vehicular pursuit incident is in progress, the supervisor shall assume responsibility for the monitoring and control of the pursuit as it progresses.
2. The supervisor shall continuously review the incoming data to determine whether the pursuit should be continued or terminated.
3. In controlling the pursuit incident, the supervisor shall be responsible for coordination of the pursuit as follows:
 - a. Directing pursuit vehicles or air support units into or out of pursuit;
 - b. Redesignation of primary, support or other backup vehicle responsibilities.

4. The supervisor may approve and assign additional backup vehicles or air support units and may request other agencies to assist the primary and backup pursuit vehicles based on an analysis of:
 - a. The nature of the offense for which pursuit was initiated;
 - b. The number of suspects and any known propensity for violence;
 - c. The number of officers in the pursuit vehicles;
 - d. Any damage or injuries to the assigned primary and backup vehicles or officers;
 - e. The number of officers necessary to make an arrest at the conclusion of the pursuit; and
 - f. Any other clear and articulable facts that would warrant the increased hazards caused by numerous pursuit vehicles.

E. Traffic Regulations During Pursuit

1. Each unit authorized to engage in vehicular pursuit shall be required to activate headlights and all emergency vehicle equipment prior to beginning pursuit.
2. Officers engaged in pursuit shall at all times drive in a manner exercising reasonable care for the safety of themselves and all other persons and property within the pursuit area.
3. Officers are permitted to suspend conformance with normal traffic regulations during pursuit as long as reasonable care is used when driving in a manner not otherwise permitted, and the maneuver is reasonably necessary to gain control of the suspect.
4. Officers will continue to provide updated information to communications center or supervisor as to the location and progress of the pursuit.

F. Pursuit Tactics

1. Unless expressly authorized by a supervisor, pursuit shall be limited to the assigned primary and backup vehicles. Officers are not otherwise permitted to join the pursuit team, or follow the pursuit without supervisor approval.
2. Officers may not intentionally use their vehicle to bump or ram the suspect's vehicle in order to force the vehicle to a stop off the road or in a ditch unless authorized by a supervisor.
3. Departmental policy pertaining to use of deadly force shall be adhered to during the pursuit.

G. Termination of Pursuit

1. A decision to terminate pursuit may be the most rational means of preserving the lives and property of both the public and the officers and suspects engaged in pursuit. Pursuit may be terminated by the pursuing officer, the monitoring supervisor or administrative staff of the division.
 2. Pursuit shall be immediately terminated in any of the following circumstances:
 - a. Weather or traffic conditions substantially change and increase the danger of pursuit beyond the worth of apprehending the suspect;
 - b. The distance between the pursuit and fleeing vehicles is so great that further pursuit is futile; or
 - c. The danger posed by continued pursuit to the public, the officers or the suspect is greater than the value of apprehending the suspect(s).
 3. The pursuing officer shall relay this information to communications personnel, along with any further information acquired which may assist in an arrest at a later date.
- H. Inter-jurisdictional Pursuits
1. The pursuing officer shall notify the communications center when it is likely that a pursuit will continue across county or state lines.
 2. Pursuit into a bordering state shall be limited in scope to that of out of jurisdiction support provided to a neighboring state.
- I. A comprehensive report of the pursuit, with information from all involved officers will be prepared and forwarded by the supervisor to the Deputy Director for Law Enforcement through channels.